



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.06.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.13378 of 2019

N.Santhi

.. Petitioner

/versus/

1.The Block Development Officer,
(Village Panchayats)
Pollachi North Union,
Pollachi Taluk,
Coimbatore District.

2.The Special Officer,
Puravipalayam Village Panchayat,
Puravipalayam,
Pollachi Taluk,
Coimbatore District.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus to call for the records of the 1st respondent made in proceedings in Na.Ka.No.970/2017/A2 dated 04.02.2019 and quash the same and consequently direct the 1st respondent to provide permission for building plan and approval to the petitioner in S.F.No.693/1, Puravipalayam Village, Pollachi(North Block), Coimbatore District.

For Petitioner :Mr. N.Umapathi

For Respondents :Mrs.P.Rajalakshmi, AGP

O R D E R

The writ petitioner herein has sought for building and planning permission under the Tamil Nadu Panchayat Building Rules,1997. The first respondent has rejected the request of the petitioner vide order dated 04.02.2019. Hence, the petitioner has approached this Court by way of filing the Writ Petition seeking Certiorarified Mandamus to quash the impugned proceedings of the first respondent dated 04.02.2019.

2. On perusal of the affidavit and other documents filed in



support of the affidavit, it appears that there was some title dispute between the petitioner and her brother and a portion of the land on which the petitioner proposed to build has been allotted to the petitioner. But, while perusing the impugned order of the first respondent, there is no reason stated for rejecting the request of the petitioner. Since it is a non-speaking order, it is bound to be quashed.

3. Accordingly, the impugned order passed by the first respondent vide Na.Ka.No.970/2017/A2 dated 04.02.2019 is hereby quashed. The first respondent is directed to consider the application of the petitioner for grant of planning permission afresh and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order.

4. This Writ Petition is ordered accordingly. No costs.

ari

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Block Development Officer, (Village Panchayats)
Pollachi North Union, Pollachi Taluk,
Coimbatore District.

2.The Special Officer, Puravipalayam Village Panchayat,
Puravipalayam, Pollachi Taluk, Coimbatore District.

+1cc to Mr.P.Rajalakshmi, Advocate, SR.No.46729
+1cc to Mr.N.Umapathi, Advocate, SR.No.46872

W.P.No.13378 of 2019

Kak(01/08/2019)